IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.516 OF 2004

Mr Victor Fernandes ... Petitioner

v/s

SSIK Investor Services Pvt.Ltd. ... Respondents

Ms M. Thorat for Petitioner.

None for Respondents.

CORAM : D.K.DESHMUKH J.

DATE : 17TH JANUARY 20**05**

P.C.: -

1. An award made by the Arbitral Tribunal of the Bombay Stock Exchange is challenged. I have heard the learned counsel appearing for petitioner in detail. According to me, there is evidence on the basis of which award is passed. I have perused the award and the record. It shows that there was definite evidence before the Arbitrator for making the award. The Arbitrator has considered the conduct of the petitioner for recording his finding. Therefore, it cannot be said that there is no evidence on record to support the finding recorded by the Arbitral Tribunal. Insufficiency of evidence cannot be a ground for challenging the award under section 34 of the Arbitration and Conciliation Act 1996. Considering extremely limited jurisdiction of this Court to interfere with the award made by the Arbitral Tribunal, especially when the Arbitral Tribunal is appointed the Bombay Stock Exchange, which knows the intricacies and practices of the trade, in my opinion, this petition cannot be entertained. It is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Personal Secretary as

true copy.

. Certified copy expedited.